

Message Text

CONFIDENTIAL

PAGE 01 NAIROBI 10072 031458Z

47

ACTION AF-07

INFO OCT-01 EUR-12 ISO-00 L-02 JUSE-00 CIAE-00 INR-05

NSAE-00 RSC-01 EB-07 COME-00 SP-02 SCS-03 SCA-01

TRSE-00 PRS-01 H-01 /043 W

----- 063276

P 031430Z DEC 74

FM AMEMBASSY NAIROBI

TO SECSTATE WASHDC PRIORITY 0310

INFO AMEMBASSY LONDON PRIORITY

AMEMBASSY PARIS PRIORITY

C O N F I D E N T I A L NAIROBI 10072

E.O. 11652: GDS

TAGS: BDIS, CPRS, KE, US

SUBJECT: SAUL/MILLER CASE

REF: (A) NAIROBI 9765 (B) STATE 264566

1. KENYA GAZETTE DATED NOVEMBER 29, 1974, CONTAINS NOTICE NO. 3755 WHICH CANCELS CLAIMS OF GEORGE V. CRITICOS TO SAUL'S RUBY MINE. WESTERN PRESS HAS ALREADY DISCOVERED NOTICE, BUT EMBASSY CONFINING COMMENTARY TO STATEMENT THAT WE UNDERSTAND SAUL'S INTERESTS UNDER NEGOTIATION BY SAUL'S LAWYERS AND THAT WE ARE NOT IN POSITION TO KNOW STATUS THESE NEGOTIATIONS. HOWEVER, MINISTRY OF INFORMATION OFFICIAL HAS CONFIRMED TO WESTERN JOURNALIST THAT NOTICE MEANS THAT CRITICOS HAS INDEED LOST HIS RIGHTS TO CLAIM AND THAT NOTICE ALSO INTENDED TO GIVE GOVERNMENT OPPORTUNITY TO ASSESS FAIR VALUE OF MINE.

2. SAUL'S LAWYER HAS TOLD US PRIVATELY THAT ATTORNEY-GENERAL NJONJO (CONTRARY TO DECISION TO NATIONALIZE REPORTED REF A) HAS NOW DECIDED IT WOULD BE PREFERABLE FOR NEGOTIATIONS ON SETTLEMENT TO BEGIN WITHOUT ISSUANCE OF NATIONALIZATION DECREE EARLIER CONTEMPLATED. IF MUTUALLY ACCEPTABLE SETTLEMENT NOT REACHED, KENYAN GOVERNMENT COULD, ACCORDING TO JNONJO, THEN RESORT TO NATIONALIZATION AND EVENTUAL SETTLEMENT IN
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 NAIROBI 10072 031458Z

ACCORDANCE

WITH PROVISIONS OF CONSTITUTION. SAUL'S LAWYER, WHO STATES HE HAS AGREEMENT OF SAUL, IS NOW READY TO BEGIN NEGOTIATIONS WITH APPROPRIATE KENYAN OFFICIALS IN MINISTRY OF NATURAL RESOURCES ON BEHALF OF SAUL. INCIDENTALLY, HE SAID THERE IS NOT RPT NO CHANCE (PER REF B) THAT KENYANS WILL SEND NEGOTIATORS TO PARIS TO MEET WITH JOHN SAUL OR HIS FATHER.

3. I WOULD ONCE AGAIN URGE DEPARTMENT, AS WELL AS EMBASSIES PARIS AND LONDON, TO DISCOURAGE SAUL AND HIS FATHER FROM UNDERMINING PROGRESS WHICH HAS BEEN MADE THUS FAR IN THIS CASE BY THREATENING EXPOSES ON KENYATTA'S ALLEGED REAL ESTATE HOLDINGS OR THROUGH OTHER PRESSURE TACTICS. WHILE SAUL MAY NEVER BE FULLY SATISFIED WITH EVENTUAL SETTLEMENT (NEGOTIATION OF WHICH USG SHOULD NOT RPT NOT GET INVOLVED IN), I AM CONVINCED THAT WE HAVE COME REMARKABLY FAR TO DATE IN PERSUADING KENYATTA TO SWALLOW HIS PRIDE AND AUTHORIZE NEGOTIATED SETTLEMENT. NEW SPATE OF CRITICAL PRESS ARTICLES OR SOME TYPE OF THREAT COULD WELL INFURIATE KENYATTA AND CAUSE HIM TO BACK OFF FROM CURRENT CONCILIATORY STANCE.

MARSHALL

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 03 DEC 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: izenbei0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974NAIROB10072
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740350-0241
From: NAIROBI
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741265/aaaacdjl.tel
Line Count: 81
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION AF
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: (A) NAIROBI 9765 (B) STATE 264566
Review Action: RELEASED, APPROVED
Review Authority: izenbei0
Review Comment: n/a
Review Content Flags:
Review Date: 01 MAY 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <01 MAY 2002 by elyme>; APPROVED <18 MAR 2003 by izenbei0>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: SAUL/MILLER CASE
TAGS: BDIS, CPRS, KE, US, (MILLER), (SAUL)
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005